

1 KIRK T. KENNEDY, ESQ.
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5 UNITED STATES DISTRICT COURT

6 DISTRICT OF NEVADA

7 BRADLEY STERNFELS,

2:25-cv-00112-JAD-BNW

8 Plaintiff,

9 vs.

10 UNITED OF OMAHA LIFE INSURANCE
11 COMPANY; a foreign corporation;
DOES I through X, inclusive,
12 ROE CORPORATIONS 1-10, inclusive,

13 Defendants.

14 **STIPULATION TO FILE THIRD AMENDED COMPLAINT AND RELATED**

15 **RELIEF**

16 IT IS HEREBY STIPULATED AND AGREED by and between the Plaintiff,
17 BRADLEY STERNFELS, by and through his undersigned counsel, KIRK T.
18 KENNEDY, ESQ., and the Defendant, UNITED OF OMAHA LIFE INSURANCE
19 COMPANY, by and through its undersigned counsel, NICOLE G. TRUE, ESQ., that the
20 parties stipulate as follows:

21 1. The Plaintiff shall be allowed to file a third amended complaint to allege a clarified
22 claim pursuant to the Employee Retirement Income Security Act of 1974 (ERISA). The
23 Plaintiff previously filed a second amended complaint, ECF 9, to address his ERISA
24 based claims, however, a further review necessitates a claim clarification with a third
25 amended complaint to allege solely a claim for relief under 29 U.S.C. Section
26 1132(a)(1)(b). This further amendment will assist in setting forth the full nature of
27 Plaintiff's claim for the Court's consideration.
28

2. The Plaintiff's third amended complaint shall be due for filing no later than February 28, 2025; and

3. The Defendant shall have until March 14, 2025, to file any responsive pleading to the third amended complaint.

This Stipulation is entered between the parties for good cause and for purposes of judicial economy to clarify the nature of Plaintiff's claim and allow the Defendant sufficient time to respond.

/s/Kirk T. Kennedy
KIRK T. KENNEDY, ESQ.
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815 S. Casino Center Blvd.
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Attorney for Plaintiff

Dated: 2/24/25

/s/Nicole G. True
NICOLE G. TRUE, ESQ.
Nevada Bar No: 12879
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201 E. Washington St., Ste. 1200
Phoenix, AZ 85004
(602) 262-5311
Attorney for Defendant
United of Omaha Life Insurance Company

Dated: 2/24/25

ORDER

IT IS SO ORDERED.

Dated this 25 day of February, 2025.


UNITED STATES MAGISTRATE JUDGE

Submitted by:

/s/Kirk T. Kennedy
KIRK T. KENNEDY, ESQ.
Nevada Bar No: 5032
Attorney for Plaintiff